

CERTIFICATE OF EFS FILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR §1.8 on the below date:

Date: January 20, 2010 Name: /Michael E. Hussey/  
Michael E. Hussey (Reg. No. 63,265)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Kenji Ishii et al.

Appln. No.: 10/772,223

Filed: February 3, 2004

For: APPARATUS AND A METHOD FOR  
OPTIMIZING NETWORK RESOURCES  
EMPLOYED IN DATA  
COMMUNICATION

Examiner: Baturay, Alicia

Art Unit: 2446

Conf. No.: 2202

Attorney Docket No.: 9683/165

**PETITION AND FEE FOR EXTENSION OF TIME (37 CFR § 1.136(a))**

MAIL STOP RCE

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Dear Sir:

This is a petition for an extension of the time to respond to Final Office Action dated September 21, 2009 for a period of one-month(s).

Applicant is: ☐ small entity (per 37 CFR 1.27) ☒ other than small entity

	<b><u>Extension Months</u></b>	<b><u>Other Than Small Entity</u></b>	<b><u>Small Entity</u></b>
<input checked="" type="checkbox"/>	One Month	\$130.00	\$65.00
<input type="checkbox"/>	Two Months	\$490.00	\$245.00
<input type="checkbox"/>	Three Months	\$1,110.00	\$555.00
<input type="checkbox"/>	Four Months	\$1,730.00	\$865.00
<input type="checkbox"/>	Five Months	\$2,350.00	\$1,175.00

**Payment Method:**

- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ to cover the fees listed above. Form PTO-2038 is enclosed for this purpose.
- ☒ The Commissioner is hereby authorized to charge \$130 to cover the fees listed above to Deposit Account No. 23-1925.
- ☒ The Commissioner is hereby authorized to charge any deficiencies in fees or credit overpayment to Deposit Account No. 23-1925.

Respectfully submitted,

Dated: 01/20/2010

/Michael E. Hussey/

Michael E. Hussey, Reg. No. 63,265  
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE  
CUSTOMER NO. **27879**  
Telephone: (317) 636-0886  
Facsimile: (317) 634-6701